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EXAMINER

PATEL, MANGLESH M

ART UNIT PAPER NUMBER

2178

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,935

Applicant(s)

SAMUELS ET AL.

Examiner

Manglesh M. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-20 is/are allowed.
- 6) ☒ Claim(s) 1 and 11-15 is/are rejected.
- 7) ☒ Claim(s) 2-10 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This **Non-Final** action is responsive to the amendment filed on 7/28/06.
2. Claims 1-21 are pending. Claims 1, 10, 11, 16, 18, 20 & 21 are independent claims.

Withdrawn Rejections

3. The 35. U.S.C. 101 rejections of claims 16-19 have been withdrawn in light of the amendment.
4. The 35 U.S.C. 103(a) rejection of claim 1-20 with cited reference of Baxter U.S. Pub 2002/0198878 in view of Marpe U.S. 6,671,692 have been withdrawn in view of the persuasive arguments and newly cited art.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
6. Claims 1, 10, 11 and 21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim describes "A on-line reference tool", the tool describes software and fails to include hardware for using the tool. The language of the claims raise a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. To overcome this rejection the claims should include computer hardware that operates with the software.
7. Regarding claims 2-9 and 12-15, are rejected because they inherit the deficiencies of the Independent claims.

Allowable Subject Matter

8. Claims 16-20 are allowed.
9. Claims 2-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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10. Claims 10 and 21 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 101, set forth in this Office action.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farley (U.S. 5,257,185, filed May 21, 1990) in view of Machiraju (U.S. 6, 028, 601, filed Apr 1, 1997).

Regarding Independent claim 1, Farley discloses a system for quickly retrieving information that is related to a specific topic, the system comprises: A plurality of processing components, wherein at least one of the plurality of processing components is an on-line reference tool having a plurality of components and information that is structured into multiple units such that each unit teaches a specific subject and is associated with a specific topic, the on-line reference tool links related units of information to glossary terms and writes at least one question that corresponds to each link, wherein when a user selects a question, at least one unit of information is presented to the user; and means for viewing information presented by on-line reference tool (abstract, fig 4, column 3, lines 30-67 & column 5, lines 38-68, wherein the tool includes multiple units with a topic. Further the tool includes a glossary as shown in fig 4.) Farley fails to teach the linking of the questions and answers associated with the topics. Machiraju teaches linking of questions and answers of topics (abstract, fig 1, column 2, lines 60-67 & column 3, lines 1-59). At the time of the invention it would have been obvious to one of ordinary skill in the art to include a questions and answers section associated with a specific topic in a information retrieval system. The motivation for doing so would have been to avoid having users to read large amounts of text to find answers to their questions by including a FAQ section with associated answers of the topic.

Regarding Independent claim 11, Farley discloses an on-line reference tool for quickly presenting information that is related to a specific topic to a user, the on-line reference tool comprises: Means for

allowing the user to enter a term in a lookup form (abstract, fig 4, column 3, lines 30-67 & column 5, lines 38-68, wherein the tool includes input of data associated to a topic); Means for searching a content for the term and producing a list of terms, at least one definition for each term, and at least one question for each term that is linked to a teaching object (abstract, fig 4, column 3, lines 30-67 & column 5, lines 38-68, wherein the tool includes querying the term including a definition as shown in fig 18); Farley fails to teach the linking of the questions and answers associated with the topics. Machiraju teaches means for enabling the user to select one term from the list of terms and a question and an associated answer (abstract, fig 1, column 2, lines 60-67 & column 3, lines 1-59, wherein questions associated with a term are selected including its associated answer); And means for displaying a unit of information that contains the associated answer (abstract, fig 1, column 2, lines 60-67 & column 3, lines 1-59, wherein the information associated with the answer is displayed). At the time of the invention it would have been obvious to one of ordinary skill in the art to include a questions and answers section associated with a specific topic in a information retrieval system. The motivation for doing so would have been to avoid having users to read large amounts of text to find answers to their questions by including a FAQ section with associated answers of the topic.

Regarding Dependent claim 12, with dependency of claim 11, Farley fails to teach the linking of the questions and answers associated with the topics. Machiraju teaches wherein when searching for the term, if the on-line reference tool finds an exact match, the on-line reference tool produces only the match in the list of related terms, automatically selects the match and produces the associated definition and questions (abstract, fig 1, column 2, lines 60-67 & column 3, lines 1-59, wherein a match is selected to produce the definition and questions). At the time of the invention it would have been obvious to one of ordinary skill in the art to include a questions and answers section associated with a specific topic in a information retrieval system. The motivation for doing so would have been to avoid having users to read large amounts of text to find answers to their questions by including a FAQ section with associated answers of the topic.

Regarding Dependent claim 13, with dependency of claim 11, Farley fails to teach the linking of the questions and answers associated with the topics. Machiraju teaches wherein the user is allowed to filter the number of questions produced for each term and the on-line reference tool presents only those questions in a category that is selected by the user (abstract, fig 1, column 2, lines 60-67 & column 3, lines 1-59). At the time of the invention it would have been obvious to one of ordinary skill in the art to include a questions and

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answers section associated with a specific topic in a information retrieval system. The motivation for doing so would have been to avoid having users to read large amounts of text to find answers to their questions by including a FAQ section with associated answers of the topic.

Regarding Dependent claim 14, with dependency of claim 11, Farley fails to teach the linking of the questions and answers associated with the topics. Machiraju teaches further comprising means for enabling the user to navigate through the on-line reference tool (abstract, fig 1, column 2, lines 60-67 & column 3, lines 1-59). At the time of the invention it would have been obvious to one of ordinary skill in the art to include a questions and answers section associated with a specific topic in a information retrieval system. The motivation for doing so would have been to avoid having users to read large amounts of text to find answers to their questions by including a FAQ section with associated answers of the topic.

Regarding Dependent claim 15, with dependency of claim 11, Farley fails to teach the linking of the questions and answers associated with the topics. Machiraju teaches wherein the user is allowed to scroll down a list of questions and select a question, wherein the on-line reference tool automatically displays the answer for each selected question (abstract, fig 1, column 2, lines 60-67 & column 3, lines 1-59). At the time of the invention it would have been obvious to one of ordinary skill in the art to include a questions and answers section associated with a specific topic in a information retrieval system. The motivation for doing so would have been to avoid having users to read large amounts of text to find answers to their questions by including a FAQ section with associated answers of the topic.

It is noted that any citation [[s]] to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. [[See, MPEP 2123]]

Response to Arguments

13. Applicant's arguments filed 7/28/06 have been fully considered but are moot in view of the new grounds of rejection.

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Conclusion

Other Prior Art Cited

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Machiraju et al. (U.S. 6,243,090) discloses "FAQ-Linker"
 - Womble et al. (U.S. 6,988,239) discloses "Methods And Apparatus For Preparation And Administration Of Training Courses"
 - Gupta et al. (U.S. 6,988,096) discloses "Adaptive Content Delivery System And Method"
 - Ho et al. (U.S. 6,571,240) discloses "Information Processing For Searching Categorizing Information In A Document Based On A Categorization Hierarchy And Extracted Phrases"
 - Reed et al. (U.S. 6,978,277) discloses "Multimedia Search System"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Manglesh M. Patel
Patent Examiner
October 14, 2006



STEPHEN HONG
SUPERVISORY PATENT EXAMINER